

DECLARATION AND POWER OF ATTORNEY

Docket No. ML-0376

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A System for Distributing and Controlling Color Reproduction at Multiple Sites specification of which

(check X is attached hereto.
one)

_____ was filed on _____ as
Application Serial No. _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specifications, including the claims, as amended by any amendment referred to above. To the best of my knowledge, information and belief the facts stated therein are true.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) | Priority Claimed |
|------------------------------|------------------------------|
| <u> </u> (Number) | <u> </u> (Country) |
| <u> </u> (Number) | <u> </u> (Country) |
| <u> </u> (Number) | <u> </u> (Country) |

| | (Day/Month/Year Filed) | Yes | No |
|-----------------|------------------------|-----------------|-----------------|
| <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| Serial No. | Filing Date | (Status: patented, pending, abandoned) |
|-----------------|-----------------|--|
| <u> </u> | <u> </u> | <u> </u> |

| Serial No. | Filing Date | (Status: patented, pending, abandoned) |
|-----------------|-----------------|--|
| <u> </u> | <u> </u> | <u> </u> |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint MARTIN LUKACHER, Registration No., 17,788 with full power of substitution, association and revocation, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Send all correspondence to Suite 1000, Clinton Square, Rochester, New York 14604-1792.

Please direct all telephone calls to the first named attorney at telephone No. (716) 263-1253 and send all correspondence to the above address.

Richard A. Holub

26 Feb. '96

Full name of sole or first inventor
Richard A. Holub

Inventor's signature

Date

Residence
99 Eastland Avenue, Brighton, NY 14618, 1027

Citizenship

USA

Post Office Address

Same

Full name of second inventor

Inventor's signature

Date

Residence

Citizenship

USA

Post Office Address

Same

Full name of third inventor

Inventor's signature

Date

Residence

Citizenship

USA

Post Office Address

Same

Full name of fourth inventor

Inventor's signature

Date

Residence

Citizenship

USA

Post Office Address

Same

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regarding to the invention entitled A System for Distributing and Controlling Color Reproduction at Multiple Sites described in

☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization
☐ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

| | | |
|-------------------------|-----------------------|-----------------------|
| Richard A. Holub | | |
| NAME OF INVENTOR | NAME OF INVENTOR | NAME OF INVENTOR |
| <i>Richard A. Holub</i> | | |
| Signature of Inventor | Signature of Inventor | Signature of Inventor |
| 26 Feb '96 | | |
| Date | Date | Date |

Practitioner's Docket No. ML-0376, 376C, 376D1, 376D2 **PATENT**

For: ☐ U.S. and/or ☐ Foreign Rights
For: ☒ U.S. Application or
☐ U.S. Provisional Application
For: ☐ U.S. Patent
For: ☐ PCT Application
By: ☐ Inventor(s) or ☐ Present Owner

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:

Inventor(s) or person(s) or
entity(ies) who own the
invention

Imagicolor Corporation
(type or print name(s) of ASSIGNOR(S))
261 Hollywood Ave.
Address
Rochester, NY 14618
U.S.
Nationality

*(if assignment is by person or entity to whom invention was previously assigned
and this was recorded in PTO, add the following)*

Recorded on 11/23/98 Reel 9608
Frame 0575

hereby sells, assigns and transfers to

ASSIGNEE:

Richard A. Holub
(type or print name(s) of ASSIGNEE(S))
261 Hollywood Ave.
Address
Rochester, NY 14618
U.S.
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

- ☒ the entire right, title and interest
☐ an undivided _____ percent (_____%) interest
for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

- ☐ and in all foreign countries, including all rights to claim priority,
in and to any and all improvements which are disclosed in the invention entitled:
SYSTEM FOR DISTRIBUTING AND CONTROLLING COLOR REPRODUCTION
AT MULTIPLE SITES
Name of inventor(s) Richard A. Holub

(check and complete (a), (b), (c), (d), (e), (f), or (g))

and which is found in (37 C.F.R. § 3.21)

- (a) ☐ U.S. patent application executed on even date herewith
(b) ☐ U.S. patent application executed on _____
(c) ☐ U.S. provisional application naming the above inventor(s) for the above-entitled invention.
☐ Express mail label no.: _____
Mailed: _____
☐ To comply with 37 C.F.R. § 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.
(d) ☒ U.S. application no. 08 / 606,883
2/26/96
filed on _____
(e) ☐ International application no. PCT/ _____ / _____
(f) ☐ U.S. patent no. _____ issued _____
☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

- (g) ☒ and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this 13th day
of August, 1999
Date of signing

WARNING: The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Date:

Richard Holub
Signature of ASSIGNOR(S)

Date:

13 Aug '99

Date:

Date:

(if ASSIGNOR is a legal entity, complete the following information)

Richard A. Holub

(type or print the name of the above person
authorized to sign on behalf of ASSIGNOR)

President of Imagicolor Corp.

Title

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 U.S.C. § 261. Use next page if notarization is desired.

☒ Notarization or Legalization Page Added.

(Assignment of Invention [16-3]—page 3 of 3)

Practitioner's Docket No. ML-0376

PATENT

NOTARIZATION OR LEGALIZATION ACCOMPANYING ASSIGNMENT

NOTE: Executing this page is not required for assignment, and is only prima facie evidence of execution. 35 USC 261.

Details of Country United States of America
and place of signing of assignment Rochester New York

Before me this 13 day of August 1999, personally appeared the above named individual(s), to me known to be the person(s) who ☒ is ☐ are described in, and who executed the foregoing assignment instrument and acknowledged to me that

| | | |
|--|----------------------|---|
| <input checked="" type="checkbox"/> he | | <input checked="" type="checkbox"/> his |
| <input type="checkbox"/> she | executed the same of | <input type="checkbox"/> her |
| <input type="checkbox"/> they | | <input type="checkbox"/> their |


own free will for the purpose therein expressed.

Janet L. Pfeifer
Notary Public or Consular Officer of the
United States of America

JANET L. PFEIFER
Notary Public, State of New York
Qualified in Monroe County
Commission Expires 11-28-2000

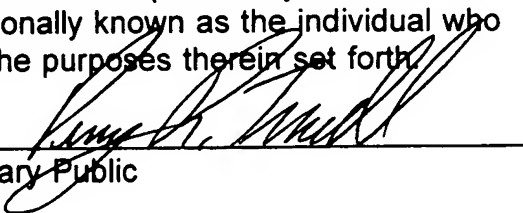
ASSIGNMENT

For good and valuable consideration, I, Richard A. Holub respectively, sell and assign to Imagicolor Corporation, a Delaware Corporation, its successors and assigns, the invention entitled A System for Distributing and Controlling Color Reproduction at Multiple Sites invented by me, and the application for United States Patent therefor executed on February 26, 1996 and all foreign applications for Letters Patent for the invention including all priority rights, and all Patents which may be granted therefor, and all divisions, reissues, continuations, continuations-in-part, and extensions thereof, and authorize and request the Commissioner of Patents to issue all Patents or said invention or resulting therefrom to said Corporation as assignee of the entire interest, and covenant that I have full right so to do, and agree that I will communicate to said Corporation or its representatives any facts known to us respecting said invention and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, reissue or extension applications, make all rightful oaths and generally do everything possible to aid said Corporation, its successors, assigns and nominees to obtain and enforce proper protection for said invention in all countries.


Richard A. Holub

STATE OF New York
COUNTY OF Monroe SS:

This 16th day of November, 1998, before me personally came the above-named Richard A. Holub, to me personally known as the individual who executed the same of his own free will for the purposes therein set forth.


Notary Public

After this Assignment has been reported, please return to:
Kenneth J. LuKacher, Esq.
Harris Beach & Wilcox, LLP.
The Granite Building
130 East Main St.
Rochester, NY 14604
716/232-4440 (Ext. 392)

PENNY R. TURRELL
Notary Public, State of New York
Qualified in Niagara County No. 4842627
My Commission Expires March 30, 2000

**Change Of Attorney Or Agent's Address In Application
(37 CFR 1.8(a))**

Docket No.

ML-0376D3

In Re Application Of: **Richard A. Holub**

Serial No.

N/A

Filing Date

Concurrently herewith

Examiner

N/A

Group Art Unit

N/A

Invention: **A SYSTEM FOR DISTRIBUTING AND CONTROLLING COLOR REPRODUCTION AT
MULTIPLE SITES**

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Please send all correspondence for this application to:

**Kenneth J. LuKacher
Attorney at Law
South Winton Court
3136 Winton Road South, Suite 204
Rochester, New York 14623**

Please direct all telephone calls to:

Kenneth J. LuKacher - (585) 424-2670


Signature of Attorney or Agent of Record

Dated: **January 7, 2002**

**Kenneth J. LuKacher
Attorney for Applicant
Registration No. 38,539
South Winton Court
3136 Winton Road South, Suite 204
Rochester, New York 14623
Telephone: (585) 424-2670
Facsimile: (585) 424-6196**

Registration Number & Address of Attorney or Agent of Record

I certify that this document is being deposited on
with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 27, 1999

PTAS

HARRIS BEACH & WILCOX, LLP
KENNETH J. LUKACHER
130 EAST MAIN STREET
THE GRANITE BUILDING
ROCHESTER, NY 14604-1687



101130420A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/25/1999

REEL/FRAME: 010191/0318
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

IMAGICOLOR CORPORATION

DOC DATE: 08/13/1999

ASSIGNEE:

HOLUB, RICHARD A.
261 HOLLYWOOD AVE.
ROCHESTER, NEW YORK 14618

SERIAL NUMBER: 08606883
PATENT NUMBER:

FILING DATE: 02/26/1996
ISSUE DATE:

SERIAL NUMBER: 09135692
PATENT NUMBER:

FILING DATE: 08/18/1998
ISSUE DATE:

SERIAL NUMBER: 09229002
PATENT NUMBER:

FILING DATE: 01/12/1999
ISSUE DATE:

SERIAL NUMBER: 09228995
PATENT NUMBER:

FILING DATE: 01/12/1999
ISSUE DATE:

010191/0318 PAGE 2

LAWAN FLETCHER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

08-30-1999

Packet No.: ML-0376, 376C, 376D1, 376D2

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



101130420

Tab settings → → →

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Imagicolor Corporation

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Richard A. Holub

Address: 261 Hollywood Ave.

City: Rochester

State/Prov.: New York

Country: US

ZIP: 14618

Additional name(s) & address(es)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: 08/13/99

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

B. Patent No.(s)

08/606,883

02/26/96

09/135,692

08/18/98

09/229,002

01/12/99

09/228,995

01/12/99

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Kenneth J. LuKacher

Registration No. 38,539

Address: HARRIS BEACH & WILCOX, LLP.

The Granite Building

130 East Main Street

City: Rochester

State/Prov.: NY

Country: US

ZIP: 14604-1687

6. Total number of applications and patents involved:

4

7. Total fee (37 CFR 3.41):.....\$ 160.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

080865

08/27/1999 MTHA11 00000241 08606883

DO NOT USE THIS SPACE

01 FC:581

160.00 UP

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kenneth J. LuKacher

8/23/99

Name of Person Signing

Signature

Date

5

Total number of pages including cover sheet, attachments, and

PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Richard A. Holub

2. Name and address of receiving party(ies):

Name: Imagicolor Corporation

Internal Address: _____

Street Address: 261 Hollywood Ave.

City: Rochester State: NY ZIP: 14618

Additional name(s) & address(es) attached? ☐ Yes ☒ No

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Execution Date: 11/16/98

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

08/606,883

09/135,692

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Kenneth J. LuKacher, Esq.

Internal Address: HARRIS BEACH & WILCOX, LLP.

Street Address: 130 East Main St.

City: Rochester State: NY ZIP: 14604

6. Total number of applications and patents involved: 2

7. Total fee (37 CFR 3.41):.....\$ 80.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

08-0865

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kenneth J. LuKacher

Name of Person Signing

Kenneth J. LuKacher

Signature

11/18/98

Date

Total number of pages including cover sheet, attachments, and document: 2